IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4351 OF 2004

AND

CIVIL APPLICATION NO. 3284 OF 2004

IN

FIRST APPEAL STAMP NO.31468 OF 2004

United India Insurance Co. Ltd. ..Appellants

versus

Ahmed Raza Ali Raza Ansari & Anr. ..Respondents

Mr. S. M. Vidyarthi for the Appellants.

Mr. T. J. Mendan for the Respondents No.1.

CORAM : D. G. DESHPANDE,J.

DATE : 29TH AUGUST,2005

P.C. :

1. Heard.

2. Civil Application No. 4351 of 2004 is for condonation of delay of 80 days in filing the appeal. Delay is satisfactorily explained. Delay is condoned. Application is allowed and disposed of.

3. Civil Application No. 3284 of 2005 is filed by the respondent No.1 for permission to withdraw the amount. The appellants have deposited the entire amount. This is a case of imputation. Therefore, in the circumstances the respondent No.1 is permitted to withdraw 25% amount without security and 25% amount against bank security. Rest of the amount to be invested. Civil Application disposed of.

4. Put up appeal for admission on 12.9.2005.

29.8.2005 (D.G. DESHPANDE, J.)